

REMARKS

Applicants thank the Examiner for the very thorough consideration given the present application.

Claims 1-17 and 22-34 are now present in this application. Claims 1, 10, 14, 22 and 30 are independent.

Amendments have been made to the Title, claims 18-21 have been canceled, claims 22-34 have been added, and claim 14 has been amended. Reconsideration of this application, as amended, is respectfully requested.

I. Priority Under 35 U.S.C. § 119

Applicants thank the Examiner for acknowledging Applicants' claim for foreign priority under 35 U.S.C. § 119, and receipt of the certified priority document.

II. Drawings

Since no objection has been received, Applicants assume that the drawings are acceptable and that no further action is necessary. Confirmation thereof in the next Office Action is respectfully requested.

III. Title of the Invention

The Examiner has objected to the Title of the Invention, stating that it is not descriptive. In order to overcome this objection, Applicants have amended the Title of the Invention in order to better reflect the subject matter claimed. Accordingly, reconsideration and withdrawal of this objection are respectfully requested

IV. Rejection Under 35 U.S.C. § 102

Claims 14, 17 and 17-21 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Fushimi et al. This rejection is respectfully traversed.

A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

At the outset, with respect to claims 18-21, while not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicants respectfully submit that claims 18-21 have been cancelled, thus rendering a portion of this rejection under 35 U.S.C. § 102(e) moot.

With regard to the rejection of claims 14, 15 and 17, while not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicants respectfully submit that

independent claim 14 has been amended to include much of the limitations of objected-to allowable claim 16, which in view of the Examiner's statement of the reasons for allowability, should thereby place independent claim 14 into condition for allowance, along with dependent claims 15 and 17.

Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

V. Allowable Subject Matter

The Examiner states that claims 1-13 are allowed, and that claim 16 would be allowable if rewritten in independent form.

Applicants thank the Examiner for the early indication of allowable subject matter in this application. As discussed above, much of objected-to claim 16 has been added into independent claim 14 as discussed above, which should place independent claim 14 into condition for allowance, along with the claims dependent therefrom.

VI. Claims 22-34

Claims 22-34 have been added for the Examiner's consideration.

Independent claim 22 recites a combination of steps in a track jump method including checking whether a current location is the end of a header

area when a track jump command is received; and starting the track jump when the current location is the end of the header. Independent claim 30 recites a combination of steps in a track jump method including checking whether a current location is the end of a header areas when a track jump command is received; and determining whether to start the track jump based on the checking step. Applicants respectfully submit that the combinations of steps as set forth in independent claims 22 and 30 are not disclosed or made obvious by the prior art of record. Applicants' position is supported by the Examiner's statements of the reasons for allowability of other claims in this application..

Applicants submit that claims 23-29 and 31-34 depend, either directly or indirectly, from independent claims 22 or 30, and are therefore allowable based on their dependence from claims which are believed to be allowable. In addition, claims 23-29 and 31-34 recite further combinations which are not disclosed or made obvious by the applied prior art references.

Consideration and allowance of claims 22-34 are respectfully requested.

VII. Additional Cited References

Since the remaining references cited by the Examiner have not been utilized to reject the claims, but have merely been cited to show the state of the art, no comment need be made with respect thereto.

VIII. Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone James T. Eller, Jr., Registration No. 39,538, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

Application No.: 09/617,088
Art Unit 2652

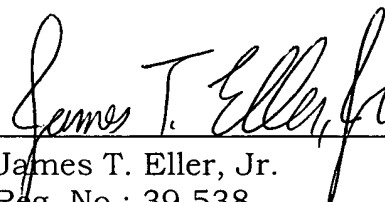
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Amendment filed January 6, 2004
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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By:


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